

**NATURAL RESOURCE COMMISSION[571]**

**Adopted and Filed**

**Rule making related to license fees**

The Natural Resource Commission hereby amends Chapter 15, “General License Regulations,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 455A.5(6) and 483A.1 and 2018 Iowa Acts, House File 631.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, 2018 Iowa Acts, House File 631.

*Purpose and Summary*

Chapter 15 provides rules for license sales, refunds, and administration; implementation of the wildlife violator compact and penalties for multiple offenses; and administration of special licenses available for hunting and fishing, and it describes and implements certification and education programs of the Department of Natural Resources (Department). Previously, all fees for Department-issued fishing, hunting, fur harvester, and related licenses were established via statute and listed in Iowa Code section 483A.1. During the 87th General Assembly, 2018 Iowa Acts, House File 631, was passed, and on May 17, 2018, it was signed into law by Governor Kim Reynolds. House File 631 removes all license fees from Iowa Code section 483A.1 and directs the Commission to adopt administrative rules establishing such fees. House File 631 allows for an increase in those fees in this current rule making and grants the Commission the authority to institute future fee increases through the rule-making process. Lastly, House File 631 allows for the creation of a new five-day, nonresident hunting license. Currently, a nonresident must purchase an annual nonresident hunting license in order to hunt in Iowa as there is no option for a license covering a shorter period of time. This rule making creates a fee for this new license.

Chapter 15 is amended to provide a list of Department-issued licenses, primarily related to fishing, hunting, and fur harvesting, and their associated fees. This list is substantively the same as that which was previously found in the Iowa Code. Minor changes are made for clarity, including listing popular combinations of licenses/fees (e.g., annual hunting license plus the habitat fee) on a single line showing the total combined fee. License fees are increased by 0 to 20 percent over current levels, depending on the individual license type, resulting in a total increase in revenue of just under 17 percent. By law, this revenue is directed to the State Fish and Game Protection Trust Fund (Trust Fund). The Trust Fund is a constitutionally protected fund that can be spent only on fish and wildlife conservation activities within the state.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 1, 2018, as **ARC 3924C**.

A news release was issued on August 2, 2018, soliciting public comment on the proposed rule making and inviting the public to participate in the upcoming public hearings. This news release was sent to approximately 300 news outlets in Iowa, along with about 20,700 subscribers to Iowa Outdoor News. Public hearings were held across the state on August 21, 2018, from 12 noon to 2 p.m.

The vast majority of comments that were received were positive. Comments not supporting this rule making centered on the premise that hunting and fishing license fees are already too high and should not be raised any further.

Of the 402 public comments received, 82 percent supported the rule making. In review of the comments, some of the supporters noted they would like to see fees higher than what was proposed for most hunting and fishing licenses. Comments not supporting the rule making noted that hunting and fishing license fees were either already appropriate or too high and should not be raised. Other comments from both supporters and nonsupporters of the rule making were regarding raising alternative sources of revenue including funding the Iowa's Water and Land Legacy (IWILL) initiative, raising fees on nonresidents, and implementing new fees for nonconsumptive users of Iowa's natural resources such as hikers, wildlife watchers, and kayakers.

No changes from the Notice have been made.

#### *Adoption of Rule Making*

This rule making was adopted by the Commission on September 13, 2018.

#### *Fiscal Impact*

This rule making has a fiscal impact to the State of Iowa. The license fee increases in this rule making will result in an estimated annual increase in revenue to the Trust Fund of \$4.5 million over the fee levels previously found in Iowa Code section 483A.1. Approximately \$3.1 million of this increase will come from license purchases by Iowa residents; the remaining \$1.4 million of this increase will result from license purchases by nonresidents. The license fee increase will allow the Department to maintain the current level of service provided and in some cases restore services that had been previously reduced. A copy of the fiscal impact statement is available from the Department upon request.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found. The following types of jobs are positively impacted by fishing, hunting, and trapping generally in the state of Iowa, none of which should see a noticeable change due to this rule making: equipment retailers (weapons, ammunition, clothing, chairs, stands, binoculars, and other supporting equipment); field guides and outfitters; taxidermists; and restaurants, hotels, and gas stations for hunters and anglers traveling around the state. Iowa's 579,000 hunters and anglers support Iowa's economy through spending more than \$779 million annually while engaged in their pursuits. This spending accounts for approximately 11,548 jobs and generates \$77 million in state and local taxes (see Iowa Hunting and Fishing Day Proclamation, signed by Governor Reynolds on September 21, 2017). A copy of the impact statement is available from the Department upon request.

#### *Waivers*

This rule is subject to the waiver provisions of 561—Chapter 10. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

#### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on December 15, 2018.

The following rule-making actions are adopted:

ITEM 1. Amend rule 571—15.1(483A) as follows:

**571—15.1(483A) Scope.** The purposes of this chapter are to provide rules for license fees, sales, refunds and administration; implement the wildlife violator compact and penalties for multiple offenses; administer special licenses available for hunting and fishing; and describe and implement certification and education programs of the department of natural resources.

ITEM 2. Adopt the following new rule 571—15.12(483A):

**571—15.12(483A) Licenses—fees.** Except as otherwise provided by law, a person shall not fish, trap, hunt, harvest, pursue, catch, kill, take in any manner, use, have possession of, sell, or transport all or a part of any wild animal, bird, game, turtle, or fish, the protection and regulation of which is desirable for the conservation of resources of the state, without first obtaining a license for that purpose and paying a fee as follows:

**15.12(1) Residents.**

- a. Fishing license, annual — \$20.
- b. Fishing license, three-year — \$60.
- c. Fishing license, seven-day — \$13.50.
- d. Fishing license, one-day — \$8.50.
- e. Third-line fishing permit, annual — \$12.
- f. Fishing license, lifetime, 65 years of age or older — \$59.50.
- g. Fishing license, lifetime, disabled veteran or POW — \$5.
- h. Paddlefish fishing license, annual — \$23.50.
- i. Trout fishing fee — \$12.50.
- j. Boundary waters sport trotline license, annual — \$24.
- k. Hunting license, annual — \$20.
- l. Hunting license, annual, including the wildlife habitat fee — \$33.
- m. Hunting license, three-year, including the wildlife habitat fee — \$99.
- n. Hunting license, lifetime, 65 years of age or older — \$59.50.
- o. Combination hunting and fishing license, annual, including the wildlife habitat fee — \$53.
- p. Combination hunting and fishing license, lifetime, disabled veteran or POW — \$5.
- q. Deer hunting license — \$30.
- r. First antlerless deer license — \$25.50.
- s. Additional antlerless deer license — \$12.
- t. Wildlife habitat fee — \$13.
- u. Migratory game bird fee — \$10.
- v. Wild turkey hunting license — \$26.50.
- w. Fur harvester license, annual — \$24.
- x. Fur harvester license, annual, including the wildlife habitat fee — \$37.
- y. Fur harvester license, annual, under 16 years of age — \$5.50.
- z. Fur harvester license, lifetime, 65 years of age or older — \$59.50.
- aa. Fur dealer license, annual — \$264.
- bb. Aquaculture unit license, annual — \$30.
- cc. Retail bait dealer license, annual — \$36.
- dd. Wholesale bait dealer license, annual — \$146.50.
- ee. Game breeder license, annual — \$18.
- ff. Taxidermy license, annual — \$18.

**15.12(2) Nonresidents.**

- a.* Fishing license, annual — \$46.
- b.* Fishing license, seven-day — \$35.50.
- c.* Fishing license, three-day — \$18.50.
- d.* Fishing license, one-day — \$10.
- e.* Third-line fishing permit, annual — \$12.
- f.* Paddlefish fishing license, annual — \$47.
- g.* Trout fishing fee — \$15.50.
- h.* Boundary waters sport trotline license, annual — \$47.50.
- i.* Hunting license, annual — \$129.
- j.* Hunting license, annual, including the wildlife habitat fee — \$142.
- k.* Hunting license, annual, under 18 years of age — \$30.
- l.* Hunting license, annual, under 18 years of age, including the wildlife habitat fee — \$43.
- m.* Hunting license, five-day (not applicable to deer or wild turkey seasons) — \$75.
- n.* Hunting license, five-day, including the wildlife habitat fee (not applicable to deer or wild turkey seasons) — \$88.
- o.* Deer hunting license, antlered or any-sex deer — \$345.50.
- p.* Deer hunting license, antlerless-deer-only, required with the purchase of an antlered or any-sex deer hunting license — \$146.50.
- q.* Deer hunting license, antlerless-deer-only — \$263.50.
- r.* Preference point issued under Iowa Code section 483A.7(3) “*b*” or 483A.8(3) “*e*” — \$58.50.
- s.* Holiday deer hunting license issued under Iowa Code section 483A.8(6), antlerless-deer-only — \$88.
- t.* Wildlife habitat fee — \$13.
- u.* Migratory game bird fee — \$10.
- v.* Wild turkey hunting license, annual — \$117.
- w.* Fur harvester license, annual — \$232.
- x.* Fur harvester license, annual, including the wildlife habitat fee — \$245.
- y.* Fur dealer license, annual — \$586.50.
- z.* Fur dealer license, one day, one location — \$292.50.
- aa.* Location permit for fur dealer — \$66.
- bb.* Aquaculture unit license, annual — \$66.
- cc.* Retail bait dealer license, annual — \$146.50.
- dd.* Wholesale bait dealer license, annual — \$292.50.
- ee.* Game breeder license, annual — \$30.50.
- ff.* Taxidermy license, annual — \$30.50.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/10/18.